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6 **UNITED STATES DISTRICT COURT**
7 **WESTERN DISTRICT OF WASHINGTON**
8 **AT SEATTLE**

9 UNITED STATES OF AMERICA,

10 Plaintiff,

11 v.

12 ROBERT LEROY FREDERICK RILEY,

13 Defendant.

NO. CR01-319-JCC

SUMMARY REPORT OF
U.S. MAGISTRATE JUDGE AS
TO ALLEGED VIOLATIONS
OF SUPERVISED RELEASE

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15 An evidentiary hearing on a petition for violation of supervised release was held before
16 the undersigned Magistrate Judge on June 8, 2009. The United States was represented by
17 Assistant United States Attorney Bruce Miyake, and the defendant by Paula S. Deutsch. The
18 proceedings were digitally recorded.

19 The defendant had been charged and convicted of Possession of an Unregistered
20 Destructive Device, in violation of 26 U.S.C. §§ 5841, 5861(d) and 587, and Felon in
21 Possession of a Firearm, in violation of 18 U.S.C. §. 922(g)(1). On or about May 3, 2002,
22 defendant was sentenced by the Honorable John C. Coughenour to a term of sixty-six (66)
23 months in custody, to be followed by three (3) years of supervised release.

24 The conditions of supervised release included the requirements that the defendant
25 comply with all local, state, and federal laws, and with the standard conditions. Special
26 conditions imposed included, but were not limited to, substance abuse and mental health

1 programs, financial disclosure, abstain from alcohol, search, no gambling, attend gamblers
2 anonymous, computer monitoring, no new credit, employment restrictions, and no ID in other
3 than true name.

4 In a Petition for Warrant or Summons, dated October 20, 2008, U.S. Probation Officer
5 Michael S. Larsen asserted the following violations by defendant of the conditions of his
6 supervised release:

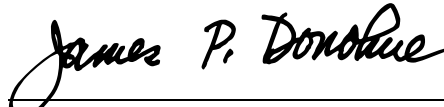
- 7 (1) Using marijuana on or about August 10, 2008, in violation of standard condition
8 number 7.
- 9 (2) Using Methamphetamine on or about August 28, 2008, in violation of standard
10 condition number 7.
- 11 (3) Failing to report for drug testing on or about October 15, and October 16, 2008,
12 in violation of the special condition requiring him to report for drug testing as
13 directed by the probation officer.

14 On June 3, 2009, defendant made his initial appearance. The defendant was advised of
15 the allegations and advised of his rights. On June 8, 2009, defendant appeared for an
16 evidentiary hearing on the alleged violations. Defendant admitted to violations 1, 2 and 3.

17 I therefore recommend that the Court find the defendant to have violated the terms and
18 conditions of his supervised release as to violations 1, 2 and 3, and that the Court conduct a
19 hearing limited to disposition. A disposition hearing on these violations has been set before the
20 Honorable John C. Coughenour on July 2, 2009 at 9:00 a.m.

21 Pending a final determination by the Court, the defendant has been detained.

22 DATED this 8th day of June, 2009.

23 
24 JAMES P. DONOHUE
25 United States Magistrate Judge
26

1 cc: District Judge: Honorable John C. Coughenour
2 AUSA: Mr. Bruce Miyake
3 Defendant's attorney: Ms. Paula S. Deutsch
4 Probation officer: Mr. Michael S. Larsen
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